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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s)	Levi, et al.	Examiner:	Unassigned
Serial No.:	10/076,204	Group Art Unit:	1614
Confirmation No:	8595	Docket:	955-16
Filed:	February 13, 2002	Dated:	July 8, 2002
For:	<b>Method and Compositions for Reducing Cardiac Dysfunctions with a Selective Histamine H<sub>3</sub> Receptor Agonist</b>		

Commissioner for Patents  
Washington, DC 20231

*I hereby certify this correspondence is being deposited  
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Commissioner for Patents, Washington, D.C.*

20231 on July 8, 2002

Dated: 7/8/02

*Julie L. Watts*

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In order to fulfill the requirements of candor and good faith set forth in 37 C.F.R. §1.56, Applicants submit herewith the following Information Disclosure Statement in accordance with the provisions of 37 C.F.R. §1.97 and §1.98.

**UNITED STATES PATENTS**

<b><u>PATENTEE</u></b>	<b><u>PATENT NO.</u></b>	<b><u>ISSUE DATE</u></b>
McDonald, et al.	6,159,994	December 12, 2000
Lovenberg, et al.	6,136,559	October 24, 2000
Nahoum	5,908,853	June 1, 1999
Theoharides	5,821,259	October 13, 1998

**FOREIGN PATENT DOCUMENTS**

<b><u>COUNTRY</u></b>	<b><u>PUBLICATION NO.</u></b>	<b><u>PUBLICATION DATE</u></b>
PCT	WO 96/29315	September 26, 1996

**NON-PATENT PUBLICATIONS**


1. Database CAPLUS on STN, (Columbus, OH, USA), No. 122:78176, Unmasking of activated H<sub>3</sub>-receptors in myocardial ischemia: their role as regulators of exocytotic norepinephrine release, *J. Pharmacology. Exp. Ther.*, Imamura et al., 1994, 27(3):1259-1266 (abstract only).
2. Database CAPLUS on STN, (Columbus, OH, USA), No. 117:226854, Inhibition of sympathetic hypertensive responses in the guinea pig by prejunctional histamine H<sub>3</sub>-receptors. *Br. J. Pharmacol.*, Hey et al., 1992, 107(2):347-351 (abstract only).
3. Database CAPLUS on STN, (Columbus, OH, USA), No. 123:48330, Functional identification of histamine H<sub>3</sub>-receptors in the human heart. *Circ. Res.*, Imamura et al., 1995, 77(1):206-210 (abstract only).
4. Hatta et al., "Activation of Histamine H<sub>3</sub> Receptors Inhibits Carrier-Mediated Norepinephrine Release in a Human Model of Prolonged Myocardial Ischemia", *The Journal of Pharmacology and Experimental Therapeutics* 1997, 283(2):494-500.
5. Mackins et al., "Therapeutic potential of H<sub>3</sub>-receptor agonists in myocardial infarction", *Exp. Opin. Invest. Drugs* 2000, 9(11):1-6.
6. Karmazyn et al., "The Myocardial Na<sup>+</sup>-H<sup>+</sup> Exchange Structure, Regulation, and Its Role in Heart Disease", *Circulation Research* 1999, 85:777-786.
7. Kockskämper et al., "Activation of the cAMP-protein kinase A pathway facilitates Na<sup>+</sup> translocation by the Na<sup>+</sup>-K<sup>+</sup> pump in guinea-pig ventricular myocytes", *Journal of Physiology* 2000, 523.3:561-574.
8. Leurs et al., "Therapeutic potential of histamine H<sub>3</sub> receptor agonists and antagonists", *TIPS* 1998, 19:177-183.
9. Mazenot et al., "In vivo demonstration of H<sub>3</sub>-histaminergic inhibition of cardiac sympathetic stimulation by R- $\alpha$ -methyl-histamine and its prodrug BP 2.94 in the dog", *British Journal of Pharmacology* 1999, 126:264-268.

10. Rupprecht et al., "Cardioprotective Effects of the  $\text{Na}^+/\text{H}^+$  Exchange Inhibitor Cariporide in Patients with Acute Anterior Myocardial Infarction Undergoing Direct PTCA", *Circulation* 2000, 101:2902-2908.
11. Silver et al., "Coupling of histamine  $\text{H}_3$  receptors to neuronal  $\text{Na}^+/\text{H}^+$  exchange: A novel protective mechanism in myocardial ischemia", *PNAS* 2001, 98(5):2855-2859.
12. Theroux, "Myocardial Cell Protection A Challenging Time for Action and a Challenging Time of Clinical Research", *Circulation* 2000, 101:2874-2876.
13. Wellman et al., "ATP-sensitive  $\text{K}^+$  channel activation by calcitonin gene-related peptide and protein kinase A in pig coronary arterial smooth muscle", *Journal of Physiology* 1998, 507.1:117-129.

The above-referenced documents are listed on PTO Form 1449. We have enclosed the cited documents to facilitate reference to them. The Examiner is respectfully requested to consider these publications in their entirety, and to indicate that he or she has done so by initializing the enclosed form PTO 1449.

Applicants are not aware of any other references to be identified at this time. If the Examiner has any questions or comments relating to the present application, he or she is respectfully invited to contact Applicants' attorney at the telephone number set forth below.

Respectfully submitted,

  
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